**IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD**

(SPECIAL ORIGINAL JURISDICTION)

WEDNESDAY THE EIGHTH DAY OF DECEMBER TWO THOUSAND AND FOUR

: PRESENT :

THE HON'BLE MR.JUSTICE: **L.NARASIMHA REDDY**

W.P. No.22644 of 2004

Between:

Smt. K.Yerramma.

Petitioner

AND

1. The Joint Collector, Ananthapur District, Ananthapur.
2. The Revenue Divisional Officer, Dharmavaram Revenue Division, Ananthapur District.
3. The Mandal Revenue Officer, Rayadurg Mandal, Ananthapur District.

Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein, the High Court will be pleased to issue a Writ, Order or Directions) essentially in the nature of Writ of Mandamus the impugned proceedings contained in Rc.No. 2456/2004/F, Dated: 11-10-2004 issued by the Respondent No.2 herein as bad, illegal, arbitrary, without jurisdiction, irrational, illogical and violative of Articles 14 and 21 of the Constitution of India.

The petition coming on for hearing, upon perusing the petition and the affidavit filed herein and upon hearing the arguments of Mr. Karanam Ramesh, Advocate for the Petitioner and of G.P. for Civil Supplies on behalf of the Respondents.

The Court made the following **ORDER:**

**" This writ petition is filed challenging an order, dated. 11-10-2004, passed by the 2nd respondent, through which, the dealership of the petitioner to a fair price shop was suspended. Two charges framed against the petitioner read as under:**

**Charge No.2:'**

**The authorization of fair price shop was issued in favour of Smt. K.Yerramma. It is proved that the shop is run by her father Sri Muttappa.**

**Charge No.3:**

**The dealer is residing in the village even after the marriage and living separately. When she was enquired about Annapurna Scheme she has given a statement that she is not running the shop.**

**It is not known, how the running of a fair price shop by the father of the dealer, who is a woman, amounts to any irregularity warranting suspension. Further, 3rd charge virtually shocks the conscience of the Court. This Court would certainly have passed appropriate orders enabling the petitioner to continue as fair price shop dealer and disposed of the matter. However, in view of the frequent recurrence of instances of suspension of dealership on frivolous and ridiculous grounds, this Court is compelled to require the presence of the 2nd respondent with the necessary record, so that the matter can be dealt with in a larger plane.**

**Post the writ petition for admission in the 'Motion List' on 13-12-2004. The 2nd respondent shall appear before this Court together with his record. In the meanwhile, the petitioner shall be entitled to continue as dealer."**

ASSISTANT REGISTRAR

// TRUE COPY //
for ASSISTANT REGISTRAR

To

1. The Joint Collector, Ananthapur District, Ananthapur.
2. The Revenue Divisional Officer, Dharmavaram Revenue Division, Ananthapur District. (**By Speed Post with a direction to appear before this court on 13-12-2004 at 10.30 A.M. alongwith his record**)
3. The Mandal Revenue Officer, Rayadurg Mandal, Ananthapur District.
4. Two CCs to G.P. for Civil Supplies, High Court of A.P.Hyd(OUT)
5. One spare copy.

SAH